

LAW OFFICES OF
BEST BEST & KRIEGER LLP
5 PARK PLAZA, SUITE 1500
IRVINE, CALIFORNIA 92614

1 BEST BEST & KRIEGER LLP
ERIC L. GARNER, Bar No. 130665
2 JEFFREY V. DUNN, Bar No. 131926
STEFANIE D. HEDLUND, Bar No. 239787
3 18101 VON KARMAN AVENUE, SUITE 1000
IRVINE, CALIFORNIA 92612
4 TELEPHONE: (949) 263-2600
FACSIMILE: (949) 260-0972
5 Attorneys for Cross-Complainant
LOS ANGELES COUNTY WATERWORKS
6 DISTRICT NO. 40

**EXEMPT FROM FILING FEES
UNDER GOVERNMENT CODE
SECTION 6103**

7 OFFICE OF COUNTY COUNSEL
COUNTY OF LOS ANGELES
8 JOHN F. KRATTLI, Bar No. 82149
COUNTY COUNSEL
9 WARREN WELLEN, Bar No. 139152
PRINCIPAL DEPUTY COUNTY COUNSEL
10 500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012
11 TELEPHONE: (213) 974-8407
TELECOPIER: (213) 687-7337
12 Attorneys for Cross-Complainant LOS ANGELES
COUNTY WATERWORKS DISTRICT NO. 40

13
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA
15 COUNTY OF LOS ANGELES

16
17 **ANTELOPE VALLEY
GROUNDWATER CASES**

18 Included Actions:
19 Los Angeles County Waterworks District
No. 40 v. Diamond Farming Co., Superior
20 Court of California, County of Los
Angeles, Case No. BC 325201;

21 Los Angeles County Waterworks District
22 No. 40 v. Diamond Farming Co., Superior
Court of California, County of Kern, Case
23 No. S-1500-CV-254-348;

24 Wm. Bolthouse Farms, Inc. v. City of
Lancaster, Diamond Farming Co. v. City of
25 Lancaster, Diamond Farming Co. v.
Palmdale Water Dist., Superior Court of
26 California, County of Riverside, Case Nos.
RIC 353 840, RIC 344 436, RIC 344 668

Judicial Council Coordination No. 4408

CLASS ACTION

Santa Clara Case No. 1-05-CV-049053
Assigned to The Honorable Jack Komar

**DECLARATION OF ELIAS SHOKRIAN
OF ROSAMOND RANCH IN LIEU OF
DEPOSITION TESTIMONY FOR PHASE 4
TRIAL**

LAW OFFICES OF
BEST BEST & KRIEGER LLP
5 PARK PLAZA, SUITE 1500
IRVINE, CALIFORNIA 92614

DECLARATION

I, **ELIAS SHOKRIAN**, declare:

1. I am **Managing Partner** for **Rosamond Ranch, L.P. (hereinafter "Rosamond Ranch")**, a party to this action. In lieu of deposition testimony for the Phase 4 trial, I am providing this declaration. This declaration applies only to the categories I have filled in. The items left blank or crossed out do not apply to me. I have personal knowledge of each fact herein and would testify competently thereto under oath.

Property Ownership and Parcel Size

2. **Rosamond Ranch** owns property that overlies the Antelope Valley Area of Adjudication as decided by this Court. The land is in **Kern County** and is identified by the following APN/APNs: **APN 359 -031-(02,03,04,05,& 06) and 359-052 (02) (730 acres)** [If additional room is needed, please identify the APN/APNs in Exhibit A.] A true and correct copy of Exhibit A is attached hereto and incorporated herein.

3. **Rosamond Ranch** claims groundwater rights only as to the properties listed in Paragraph 2 and Exhibit A.

4. For each APN/APNs identified above, the total acreage by parcel is as follows: **APN 359 -031-(02,03,04,05,& 06) and 359-052 (02) TOTAL- 730 acres**

[If additional room is needed, please identify the APN/APNs and parcel size in Exhibit B.] A true and correct copy of Exhibit B is attached hereto and incorporated herein.

5. For each APN/APNs identified above **Rosamond Ranch** owned the property during the following time period: **COALINGA CORP, prior owner, owned property thru on or around August 9, 2004, at which time property transferred to ELIAS and SHIRLEY SHOKRIAN; property then transferred to ROSAMOND RANCH, L.P. on or around April 1, 2010**.

6. The following are all individuals/entities appearing on the title for the above identified APN/APNS from Jan 1, 2000 to the present: **COALINGA CORP; ELIAS and SHIRLEY SHOKRIAN, and ROSAMOND RANCH, L.P**

LAW OFFICES OF
BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1 7. For each individual/entity identified in paragraph 6 that individual/entity appeared on the
2 title during the following time : COALINGA CORP, prior owner, owned property thru on or
3 around August 9, 2004, at which time property transferred to ELIAS and SHIRLEY SHOKRIAN;
4 property then transferred to ROSAMOND RANCH, L.P. on or around April 1, 2010 .
5

6 Leases

7 8. N/A (declarant or party affiliated with declarant) leases property
8 that _____ own and that overlies the Antelope Valley Area of Adjudication
9 as decided by this court and identified by the following APNS:
10 _____.

11 9. The total acreage by parcel is:
12 _____.

13 10. The property is currently leased to:
14 _____.

15 11. The property was leased on the following dates:
16 _____.

17 12. The lease provides that _____ may claim groundwater rights from the use of
18 water on the leased property. Attached to this declaration is a true and correct copy of the lease.
19

20 [If additional room is needed, please list APN/APNs, acreage by APN, Lessee by APN and dates
21 for each Lessee by APN for each parcel in Exhibit C.] A true and correct copy of Exhibit C is
22 attached hereto and incorporated herein.
23

24 13. _____ leases property from _____ which overlies the
25 Antelope Valley Area of Adjudication as decided by this court and is identified by the following
26 APNS:
27 _____.

28 14. The total acreage by parcel is:

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1
2 15. The Lease provides that _____ may claim groundwater rights from use of
3 water on leased property. Attached to this declaration is a true and correct copy of the lease.

4
5 [If additional room is needed, please attach APN/APNs, Name of the Lessor and acreage by APN
6 for each parcel list in Exhibit D to this declaration.] A true and correct copy of Exhibit D is
7 attached hereto and incorporated herein.

8 16. _____ claims groundwater rights only as to the leasehold interests listed
9 in Paragraph 15 and Exhibit D.

10 17. _____ claims groundwater rights only as to the properties listed in
11 Paragraph 2 and Exhibit A and as to the leasehold interests listed in Paragraph 8 and Exhibit C.

12 18. To the best of my knowledge, only _____ claims groundwater rights as to the
13 leased parcel(s) identified in paragraph 15 and Exhibit D.

14 **Water Meter Records**

15 19. **Not Applicable ("N/A")** _____ measures the groundwater production on the
16 above referenced properties by water meters. Exhibit E contains the records for these water
17 meters for the following years:

18 _____
19 A true and correct copy of Exhibit E is attached hereto and incorporated herein.

20 20. Exhibit F sets forth the total yearly production amounts by metered water well on the
21 above referenced properties for the years 2000-2004, 2011, and 2012. A true and correct copy of
22 Exhibit F is attached hereto and incorporated herein.

23 **State Water Project Purchases**

24 21. N/A _____ purchases State Water Project water from a State Water
25 Contractor for use by _____ on the properties referenced above. Exhibit G
26 contains true and correct copies of the invoices for delivery of State Water Project Water to the
27 properties referenced above.

28 22. Exhibit H sets forth the total yearly State Water Project water deliveries to the properties

LAW OFFICES OF
BEST BEST & KRIEGER, LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1 referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of Exhibit H
2 is attached hereto and incorporated herein.

3 **Pump Tests/ Electric Records**

4 23. In order to calculate groundwater pumped and used on the properties referenced above,
5 N/A relied on pump tests and electric records. Exhibit I contains true and
6 correct copies of the pump test records and electrical records for wells on the properties
7 referenced above. The electric records attached to this declaration as Exhibit I do not include
8 electric use on the properties referenced above for anything other than pumping groundwater.

9 24. Exhibit J sets forth the amount of total yearly groundwater that _____
10 estimates was pumped and used on the properties referenced above for the years 2000-2004,
11 2011, and 2012 based on the attached pump test records and electrical records for the wells on the
12 properties referenced above. A true and correct copy of Exhibit J is attached hereto and
13 incorporated herein.

14 25. Pump tests were performed on the following dates:
15 _____.

16 26. _____ is not producing pump test records for the following
17 dates _____ because:
18 _____.

19 27. I am not aware of any other pump tests having been performed on the properties
20 referenced above.

21
22 **Pump Tests/Diesel Records**

23 28. In order to calculate groundwater pumped and used on the properties referenced above,
24 N/A relied on pump tests and diesel fuel records. Exhibit K contains true
25 and correct copies of the records pertaining to pump tests and diesel fuel purchases for the
26 properties referenced above. The diesel fuel records attached to this declaration as Exhibit K do
27 not include diesel fuel used on the properties referenced above for anything other than pumping
28 groundwater.

1 29. Exhibit L sets forth the amounts of total yearly groundwater pumped and used on the
2 properties referenced above for the years 2000-2004, 2011, and 2012. A true and correct copy of
3 Exhibit L is attached hereto and incorporated herein.

4 30. Pump tests were performed on the following dates:
5 _____.

6 31. _____ is not producing pump test records for the following
7 dates _____ because:
8 _____.

9 32. I am not aware of any other pump tests having been performed on the properties
10 referenced above.

11 **Crop Duties and Irrigated Acres**

12 33. In order to calculate water use on the properties referenced above, **Rosamond Ranch**
13 relies on the amount of acres in irrigation on the properties referenced above multiplied by the
14 crop duty identified in the Summary Expert Report, Appendix D-3: Table 4, a true and correct
15 copy of which is attached to this declaration as Exhibit M.

16 34. The total amount of irrigated acres and type of crops on the properties referenced above
17 by APN for the years 2000-2004, 2011 and 2012 are described in Exhibit N. A true and correct
18 copy of Exhibit N is attached hereto and incorporated herein.

19 **Other Sources of Water**

20 35. On the properties referenced above, N/A received water from sources
21 other than groundwater pumped within the Basin or State Water Project Water. Exhibit O sets
22 forth the source of the water and the amounts received for the years 2000-2004, 2011, and 2012.

23 **Use of Water** (Complete for each APN. If water for used for multiple purposes, identify
24 the amount of water for each use.)

25 36. **Rosamond Ranch** used **2283 (estimated) acre feet** of water on APN# **APN 359 -031-**
26 **(02,03,04,05,& 06) and 359-052 (02) (730 acres)** in 2000. The water was used for the
27 following: **730 acres- agriculture; crops grown primarily alfalfa, as well as small amounts**
28 **of onions and carrots.** [State the crop type and number of acres of that crop. If not used for

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1 irrigation, describe the use. In lieu of answering this question, a crop map may be attached that
2 shows the date, crop type, irrigated acreage and parcels.]

3 37. Rosamond Ranch used 2283 (estimated) acre feet of water on APN# APN 359 -031-
4 (02,03,04,05,& 06) and 359-052 (02) (730 acres) in 2001. The water was used for the
5 following: 730 acres- agriculture; crops grown primarily alfalfa, as well as small amounts
6 of onions and carrots.[State the crop type and number of acres of that crop. If not used for
7 irrigation, describe the use. In lieu of answering this question, a crop map may be attached that
8 shows the date, crop type, irrigated acreage and parcels.]

9 38. Rosamond Ranch used 2283 (estimated) acre feet of water on APN# APN 359 -031-
10 (02,03,04,05,& 06) and 359-052 (02) (730 acres) in 2002. The water was used for the
11 following: 730 acres- agriculture; crops grown primarily alfalfa, as well as small amounts
12 of onions and carrots.[State the crop type and number of acres of that crop. If not used for
13 irrigation, describe the use. In lieu of answering this question, a crop map may be attached that
14 shows the date, crop type, irrigated acreage and parcels.]

15 39. Rosamond Ranch used 2283 (estimated) acre feet of water on APN# APN 359 -031-
16 (02,03,04,05,& 06) and 359-052 (02) (730 acres) in 2003. The water was used for the
17 following: 730 acres- agriculture; crops grown primarily alfalfa, as well as small amounts
18 of onions and carrots.[State the crop type and number of acres of that crop. If not used for
19 irrigation, describe the use. In lieu of answering this question, a crop map may be attached that
20 shows the date, crop type, irrigated acreage and parcels.]

21 40. Rosamond Ranch used 2283 (estimated) acre feet of water on APN# APN 359 -031-
22 (02,03,04,05,& 06) and 359-052 (02) (730 acres) in 2004. The water was used for the
23 following: 730 acres- agriculture; crops grown primarily alfalfa, as well as small amounts
24 of onions and carrots.[State the crop type and number of acres of that crop. If not used for
25 irrigation, describe the use. In lieu of answering this question, a crop map may be attached that
26 shows the date, crop type, irrigated acreage and parcels.]

27 41. Rosamond Ranch used diminimus acre feet of water on APN# APN 359 -031-
28 (02,03,04,05,& 06) and 359-052 (02) (730 acres) in 2011. The water was used for the

LAW OFFICES OF
BEST BEST & KRIEGER, LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1 following: diminimus use-no farming operations took place during this time period; property held
2 dormant. [State the crop type and number of acres of that crop. If not used for irrigation, describe
3 the use. In lieu of answering this question, a crop map may be attached that shows the date, crop
4 type, irrigated acreage and parcels.]

5 42. Rosamond Ranch used diminimus acre feet of water on APN# APN 359 -031-
6 (02,03,04,05,& 06) and 359-052 (02) (730 acres) in 2012. The water was used for the
7 following: diminimus use-no farming operations took place during this time period- property held
8 dormant. [State the crop type and number of acres of that crop. If not used for irrigation, describe
9 the use. In lieu of answering this question, a crop map may be attached that shows the date, crop
10 type, irrigated acreage and parcels.]

11
12 43. Other than what is declared hereinabove, Rosamond Ranch did not produce or use
13 water within the Antelope Valley Area of Adjudication for 2000-2004, 2011, and 2012.

14
15 I declare under penalty of perjury under the laws of the State of California that the
16 foregoing is true and correct. Executed this 31st day of January 2013, at Beverly Hills,
17 California.

18
19
20
21
22
23
24
25
26
27
28


LAW OFFICES OF
BEST BEST & KRIEGER, LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "A"

LAW OFFICES OF
BEST BEST & KRIEGER, LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "C"			
APN:	Leased to:	Acreage:	Dates of Lease:

LAW OFFICES OF
BEST BEST & KRIEGER, LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "E"

EXHIBIT "F"

<u>Year</u>	<u>Well</u>	<u>Yearly Production</u>
-------------	-------------	--------------------------

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

EXHIBIT "G"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

EXHIBIT "H"

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

EXHIBIT "I"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

EXHIBIT "J"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

EXHIBIT "K"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

EXHIBIT "L"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1
2
3
4
5
6
7

EXHIBIT "M"

Appendix D-3: Table 4
Applied Crop Water Duties and Irrigation Efficiency Values
 (DU = 80%)
Antelope Valley Area of Adjudication

Crop	ET _c ¹ (in)	P _e ² (in)	ET _{AW} ³ (in)	DU ⁴ (%)	AW _c ⁵ (in)	AW _{er} ⁶ (in)	AW _{pr} ⁷ (in)	AW _T ⁸ (in)	(ft)	E _{ir} ⁹ (%)
Alfalfa	62.10	1.77	60.33	80	75.42	0	2.0	77.42	6.5	81
Carrots	27.47	0.00	27.47	80	34.33	6	6.5	46.83	3.9	85
Grain	22.94	1.42	21.52	80	26.90	0	4.0	30.90	2.6	83
Melons/Squash	23.91	0.00	23.91	80	29.88	0	4.0	33.88	2.8	82
Onions	37.57	0.00	37.57	80	46.96	3	4.0	53.96	4.5	83
Orchard (Deciduous)	47.38	0.00	47.38	80	59.22	0	0.0	59.22	4.9	80
Pasture	66.19	1.77	64.42	80	80.53	0	0.0	80.53	6.7	80
Potatoes	24.02	0.00	24.02	80	30.03	0	4.0	34.03	2.8	82
Silage	27.31	0.00	27.31	80	34.14	0	4.0	38.14	3.2	82
Sugar Beets	40.55	0.00	40.55	80	50.68	0	4.0	54.68	4.6	81
Vineyard (Grapes)	35.33	0.00	35.33	80	44.16	0	0.0	44.16	3.7	80

¹ ET_c = K_c * ET_o, where ET_o = average ET_o for specified periods, based on data from Victorville CIMIS Station, 1994-2003; K_c values from Univ. California Cooperative Extension

² P_e = effective precipitation offsetting ET_c, up to 1/2 of the average precipitation, in Dec. - Feb., inclusive

³ ET_{AW} = evapotranspiration of applied water = ET_c - P_e

⁴ DU = irrigation distribution uniformity

⁵ AW_c = applied water for crop requirement = ET_{AW} / DU

⁶ AW_{er} = applied water for erosion control

⁷ AW_{pr} = applied water for field preparation and pre-irrigation

⁸ AW_T = applied crop water duty = AW_c + AW_{er} + AW_{pr}

⁹ E_{ir} = overall irrigation efficiency for beneficial uses = (ET_{AW} + AW_{er} + AW_{pr}) / AW_T

27

28

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT "N"

Rosamond Ranch used 2283 (estimated) acre feet of water on APN# APN 359 -031-
(02,03,04,05,& 06) and 359-052 (02) (730 acres) between 2000-2004. The water was used for
the following: 730 acres- agriculture; crops grown primarily alfalfa, as well as small
amounts of onions and carrots.

Rosamond Ranch used diminimus acre feet of water on APN# APN 359 -031-
(02,03,04,05,& 06) and 359-052 (02) (730 acres) in 2011-2012. The water was used for the
following: diminimus use-no farming operations took place during this time period- property held
dormant.

EXHIBIT "O"

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

LAW OFFICES OF
BEST BEST & KRIEGER LLP
3750 UNIVERSITY AVENUE, SUITE 400
P.O. BOX 1028
RIVERSIDE, CALIFORNIA 92502